

John Heenan
HEENAN LAW FIRM
P.O. Box 2278
Billings, MT 59103
Telephone: (406) 839-9091
Facsimile: (406) 839-9092
john@heenanlawfirm.com

Attorney for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

TIMOTHY McCOLLOUGH,

Plaintiff,

vs.

JOHNSON, RODENBURG &
LAUINGER.

Defendant.

Cause No. CV-07-166-BLG-CSO

Judge Carolyn S. Ostby

**PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT –
DEFENDANT'S "BONA FIDE
ERROR" DEFENSE**

COMES NOW Plaintiff Timothy McCollough, and pursuant to Rule 56, F. R. Civ. P., moves the Court for summary judgment as to Defendant's second affirmative defense of "bona fide error" pursuant to 15 U.S.C. § 1692k(c). Pursuant to Local Rule 7.1, Defendant has been contacted, and objects to this Motion. Plaintiff's Motion is supported by the contemporaneously filed Brief in Support and the previously filed Statement of Undisputed Facts (Docket No. 39).

DATED this 12th day of November, 2008.

HEENAN LAW FIRM

/s/ John Heenan
John Heenan
Attorney for Plaintiff